

Exhibit C

From: Daniel Nigh
To: lockardv@gtlaw.com; d.stanoch@kanner-law.com; ASlater@mazieslater.com; valpec@kirtlandpackard.com; c.whiteley@kanner-law.com
Cc: CohenL@gtlaw.com; rubensteinb@gtlaw.com; harkinss@gtlaw.com; SAGoldberg@duanemorris.com; JPrirelac@duanemorris.com; CCT@Pietragallo.com; Sarah.Johnston@btlaw.com
Subject: [EXT]RE: Valsartan PI Bellwether Proposal
Date: Tuesday, January 12, 2021 2:51:19 PM
Attachments: [image007.png](#)

We agree with that proposal. Would you all like to have an Order entered that establishes this PI Bellwether proposal that we've agreed to via emails?

Best regards,

Daniel

Daniel Nigh

Shareholder

Levin, Papantonio, Thomas, Mitchell,
Rafferty & Proctor, P.A.
316 S. Baylen Street, Suite 600
Pensacola, FL 32502-5996
850.435.7013 (office)
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From: lockardv@gtlaw.com <lockardv@gtlaw.com>
Sent: Tuesday, January 12, 2021 8:29 AM
To: Daniel Nigh <dnigh@levinlaw.com>; d.stanoch@kanner-law.com; ASlater@mazieslater.com; valpec@kirtlandpackard.com; c.whiteley@kanner-law.com
Cc: CohenL@gtlaw.com; rubensteinb@gtlaw.com; harkinss@gtlaw.com; SAGoldberg@duanemorris.com; JPrirelac@duanemorris.com; CCT@Pietragallo.com; Sarah.Johnston@btlaw.com
Subject: RE: Valsartan PI Bellwether Proposal

Hi Daniel,

We are on track for this proposal and in agreement with the redline suggestions, however, ideally

we would like to ensure that we have at least 28 bellwethers. So if we have one or two overlaps, then no more picks. But if we have three or more overlaps, then each side gets an additional pick (or more to bring us up to 28). I think it is probably unlikely we will have more than one or two, but could happen.

Victoria Davis Lockard
Shareholder
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Products Liability & Mass Torts
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From: Daniel Nigh <dnigh@levinlaw.com>
Sent: Monday, January 11, 2021 3:28 PM
To: Lockard, Victoria D. (Shld-Atl-LT) <lockardv@gtlaw.com>; d.stanoch@kanner-law.com;
ASlater@mazieslater.com; valpec@kirtlandpackard.com; c.whiteley@kanner-law.com
Cc: Cohen, Lori (Shld-Atl-LT) <CohenL@gtlaw.com>; Rubenstein, Brian (Shld-PHIL-LT)
<rubensteinb@gtlaw.com>; Harkins, Steven M. (Assoc-ATL-LT) <harkinss@gtlaw.com>;
SAGoldberg@duanemorris.com; JPiselac@duanemorris.com; CCT@Pietragallo.com;
Sarah.Johnston@btlaw.com
Subject: RE: Valsartan PI Bellwether Proposal

EXTERNAL TO GT

Following up on this proposal. Thank you. The red text is what we added to Defendants' initial proposal. Thanks!

- Each side to pick 15 total PI plaintiffs for the bellwether pool
- From each side's 15, at least 5 must come from the DFS 20 set
- That should allow 30 PI plaintiffs to work up for bellwether pool/initial trial wave
- We would propose that both sides disclose their 15 picks simultaneously on January 15th. In order to ensure simultaneous disclosure, one representative from each side will get on a call together and on the call they will simultaneously exchange their 15 picks via email.
- If plaintiffs and defendants happen to pick the same case, then there will not be a replacement pick. For example, if defendants and plaintiffs have one overlapping pick, then the bellwether pool size will simply 29 picks.
- Per the draft scheduling order we would depose 10 of the PI plaintiffs by April 1, and

these would likely need to be the DFS picks to have complete records and fact sheets

- Defendants will complete the fact sheet process for all 30 of the bellwether picks (may need to discuss timeline)
- The DFS process for the remaining DFS 20 that were not selected by either side for bellwethers will be stayed/halted.

Best regards,

Daniel

Daniel Nigh

Shareholder

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From: Daniel Nigh

Sent: Wednesday, January 6, 2021 10:21 AM

To: 'lockardv@gtlaw.com' <lockardv@gtlaw.com>; d.stanoch@kanner-law.com;
ASlater@mazieslater.com; valpec@kirtlandpackard.com; c.whiteley@kanner-law.com

Cc: CohenL@gtlaw.com; rubensteinb@gtlaw.com; harkinss@gtlaw.com;
SAGoldberg@duanemorris.com; JPriselac@duanemorris.com; CCT@Pietragallo.com;
Sarah.Johnston@btlaw.com

Subject: RE: Valsartan PI Bellwether Proposal

Hi Victoria,

We added that the picks be simultaneously exchanged and what to do if a case is picked by both sides. Please let us know if your side has any issues with this.

Best regards,

Daniel

Daniel Nigh

Shareholder

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From: lockardv@gtlaw.com <lockardv@gtlaw.com>

Sent: Tuesday, January 5, 2021 9:07 AM

To: d.stanoch@kanner-law.com; ASlater@mazieslater.com; valpec@kirtlandpackard.com; Daniel Nigh <dnigh@levinlaw.com>; c.whiteley@kanner-law.com

Cc: CohenL@gtlaw.com; rubensteinb@gtlaw.com; harkinss@gtlaw.com; SAGoldberg@duanemorris.com; JPiselac@duanemorris.com; CCT@Pietragallo.com; Sarah.Johnston@btlaw.com

Subject: RE: Valsartan PI Bellwether Proposal

CAUTION: This email message is **EXTERNAL**.

Just following up on this proposal. Let us know your thoughts. Thanks, Victoria

Victoria D. Lockard
Shareholder

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From: Lockard, Victoria D. (Shld-Atl-LT)

Sent: Thursday, December 31, 2020 3:27 PM

To: 'David J. Stanoch' <d.stanoch@kanner-law.com>; ASlater@mazieslater.com;
valpec@kirtlandpackard.com; dnigh@levinlaw.com; Conlee Whiteley <c.whiteley@kanner-law.com>

Cc: Cohen, Lori (Shld-Atl-LT) <cohenl@gtlaw.com>; Rubenstein, Brian (Shld-PHIL-LT)
<rubensteinb@gtlaw.com>; Harkins, Steven M. (Assoc-ATL-LT) <harkinss@gtlaw.com>;
SAGoldberg@duanemorris.com; JPiselac@duanemorris.com; CCT@Pietragallo.com;
Sarah.Johnston@btlaw.com

Subject: Valsartan PI Bellwether Proposal

Counsel,

Getting back to you on the PI bellwether process. Defendants have conferred and we can generally agree to the following. Let us know if this is agreeable with plaintiffs:

- Each side to pick 15 total PI plaintiffs for the bellwether pool
- From each side's 15, at least 5 must come from the DFS 20 set
- That should allow 30 PI plaintiffs to work up for bellwether pool/initial trial wave
- We would propose that both sides disclose their 15 picks simultaneously on January 15th. In order to ensure simultaneous disclosure, one representative from each side will get on a call together and on the call they will simultaneously exchange their 15 picks via email.
- If plaintiffs and defendants happen to pick the same case, then there will not be a replacement pick. For example, if defendants and plaintiffs have one overlapping pick, then the bellwether pool size will simply 29 picks.
- Per the draft scheduling order we would depose 10 of the PI plaintiffs by April 1, and these would likely need to be the DFS picks to have complete records and fact sheets
- Defendants will complete the fact sheet process for all 30 of the bellwether picks (may need to discuss timeline)
- The DFS process for the remaining DFS 20 that were not selected by either side for bellwethers will be stayed/halted.

Happy to discuss or refine by phone, as well. Happy and healthy new year to you all.

Victoria Davis Lockard
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Vice-Chair, Pharmaceutical, Medical Device & Health Care Litigation
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